IFW AF 2141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Murali Sundar

Title: NETWORKED COMPUTER MANAGEMENT WITH A MOBILE SOFTWARE AGENT

Docket No.: 884.132US1
Filed: December 1, 1999
Examiner: Melvin H Pollack

Serial No.: 09/451,802
Due Date: May 23, 2005
Group Art Unit: 2141

MS Appeal Brief - Patents
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Murali Sundar	Examiner: Melvin Pollack
Serial No.:	09/451,802	Group Art Unit: 2141
Filed:	December 1, 1999	Docket No.: 884.132US1
Title:	Networked Computer Management with a Mobile Software Agent	
Assignee:	Intel Corporation	Customer No. 21186

REPLY BRIEF UNDER 37 C.F.R. § 41.41

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Appellant's Brief on Appeal

This brief is supplemental to the Appeal Brief filed on March 17, 2004, and is filed in response to the Examiner's Answer Brief, mailed March 23, 2005.

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Argument

Applicant has reviewed the Examiner's Answer, and believes the statements of the original and supplemental Appeal Briefs remain accurate and compelling. Applicant wishes to further clarify certain points of distinction between the pending claims and the cited references in response to newly presented comments.

Adams describes a system in which data and index files are distributed across multiple nodes in a network. Adams does not teach management of a hardware or software configuration, as the data and index files are not executable, or otherwise related to hardware or software.

More specifically, autonomous agents in Adams such as the balancing agents addressed in the Examiner's Answer manage an index file distributed among nodes in a network. Adams does not teach managing hardware or software via the software agents, or even modifying the index file based on any characteristic of the hardware or software configuration of the computer system, but teaches only ensuring that "the index file at any one node does not become too large" (*see,* col. 4, ln. 1-2). Management of the index file is taught in further embodiments as including splitting the index file if the index file size at any one node exceeds a given size (*see,* col. 4, ln. 5-7), and determining a maximum index file size for all nodes such as via a balance agent.

Because Adams does not discuss configuration of software or hardware, but only management of the size of a nonexecutable data file having nothing to do with hardware or software configuration, Adams does not anticipate the pending claims. Reversal of the rejection of the pending claims 1-21is therefore respectfully requested.

Conclusion

Applicant believes the claims are in condition for allowance, and request withdrawal of the rejections to the pending claims. It is respectfully submitted that the cited art fails to anticipate the present invention or to render it obvious, and that the claimed invention is therefore patentably distinct from the cited art. It is respectfully submitted that claims 1-21 should therefore be allowed, and reversal of the Examiner's rejections of pending claims 1-21 is respectfully requested.

Respectfully submitted,

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Amy Moriarty
Name

Signature

Appendix A: Pending Claims

1. (Previously Presented) A method of managing the state of networked computers, comprising:

specifying a preferred state, wherein the preferred state comprises at least one of hardware or software configuration of the networked computers;

defining selected networked computers to be maintained in the preferred state;

monitoring the selected networked computers for deviation from the preferred state; and

bringing the selected networked computers that deviate from the preferred state to the preferred state via a mobile software agent that travels autonomously between the selected networked computers.

2. (Original) The method of claim 1, wherein specifying a preferred state comprises:

defining a preferred software configuration of a computer; and

defining actions needed to bring the computer to the desired software configuration if the computer is not in the preferred software configuration.

3. (Original) The method of claim 1, wherein defining selected computers to be maintained in the preferred state comprises generating a list of networked computers to be maintained in the preferred state.

4. (Original) The method of claim 3, wherein the mobile software agent autonomously travels between the selected networked computers by traveling to the computers on the list of networked computers to be maintained in the preferred state.

5. (Original) The method of claim 1, wherein defining selected computers to be maintained in the preferred state comprises defining a network space of computers to be maintained in the preferred state.

6. (Original) The method of claim 5, wherein the mobile software agent autonomously travels between the selected networked computers by traveling to the computers in the networked space of computers to be maintained in the preferred state.

7. (Previously Presented) The method of claim 1, wherein monitoring the selected networked computers for deviation from a preferred state is performed via a mobile monitoring agent, wherein the mobile monitoring agent comprises a mobile software agent.

8. (Previously Presented) The method of claim 7, wherein the mobile monitoring agent travels autonomously between the selected networked computers.

9. (Original) The method of claim 1, wherein the mobile software agent that brings the selected networked computers that deviate from the preferred state to the preferred state also performs the monitoring the selected networked computers for deviation from the preferred state by first monitoring each selected networked computer it travels to for deviation from the preferred state and subsequently bringing the computer to the preferred state if it deviates from the preferred state.

10. (Original) The method of claim 1, wherein the mobile software agent travels autonomously between the selected networked computers by transferring itself from a present computer to a next computer, and erasing itself from the present computer after it has successfully transferred itself to the next computer.

11. (Original) The method of claim 1, further comprising providing a trip report from the mobile software agent to a host system.

12. (Original) The method of claim 1, wherein the mobile software agent is further operable to travel to computers not among the selected networked computers to transfer data.

13. (Previously Presented) The method of claim 12, wherein the mobile software agent maintains a trip report that is reported to a host computer upon return of the mobile software agent to the host computer.

14. (Original) The method of claim 12, wherein the mobile software agent sends a trip report to the host computer periodically as it travels between the selected networked computers.

15. (Original) The method of claim 1, wherein the selected networked computers have a mobile software agent host program thereon to facilitate mobile software agent travel and execution.

16. (Previously Presented) A machine-readable medium with instructions stored thereon, the instructions operable when executed to cause a computer to:

receive and store data defining a preferred state of computers, wherein the preferred state comprises at least one of hardware or software configuration of the networked computers;

receive and store data defining selected networked computers to be maintained in the preferred state;

generate a mobile software agent that travels autonomously between the selected networked computers and brings the selected networked computers that deviate from the preferred state to the preferred state.

17. (Previously Presented) A machine-readable medium with instructions stored thereon, the instructions operable when executed to cause a computer to:

generate a mobile software agent that travels autonomously between selected networked computers that deviate from a preferred state to the preferred state, wherein the preferred state comprises at least one of hardware or software configuration of the networked computers.

18. (Previously Presented) A machine-readable medium with instructions stored thereon, the instructions operable when executed to cause a computer to:

monitor a first networked computer for deviation from a preferred state wherein the preferred state comprises at least one of hardware or software configuration of the networked computers;

bring the first networked computer to the preferred state if it deviates from the preferred state; and

copy the executable instructions operable to perform the monitoring, bringing to a preferred state, and copying functions to a second networked computer.

19. (Original) The machine-readable medium of claim 18, with further instructions operable when executed to cause a computer to remove the executable instructions operable to perform the monitoring, bringing to a preferred state and copying functions from the first networked computer after the instructions are successfully copied to the second networked computer.

20. (Previously Presented) A computerized networked computer management system, comprising:

a networked computer server, operable to generate a mobile software agent that travels autonomously between networked computers, monitors the networked computers for deviation from a preferred state, and brings the selected computers that deviate from the preferred state to the preferred state, wherein the preferred state comprises at least one of hardware or software configuration of the networked computers.

21. (Previously Presented) A method of managing the state of networked computers, comprising:

specifying a preferred state, wherein the preferred state comprises at least one of hardware or software configuration of the networked computers;

defining selected networked computers to be maintained in the preferred state;

monitoring the selected networked computers for deviation from the preferred state; and

bringing the selected networked computers that deviate from the preferred state to the preferred state via a mobile software agent that is sent to the selected networked computers.